

APR 22 1997

LAW OFFICES

SMITHWICK &amp; BELENDIUK, P.C.

1990 M STREET, N.W.

SUITE 510

WASHINGTON, D.C. 20036

April 22, 1997

TELEPHONE  
(202) 785-2800TELECOPIER  
(202) 785-2804Federal Communications Commission  
Office of Secretary  
COUNSEL  
ROBERT W. HEALY

RM 9221

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: KYXS(FM), Mineral Wells, Texas  
Jerry Snyder and Associates, Inc.  
File No. BPH-961125IG

RECEIVED

APR 23 1997

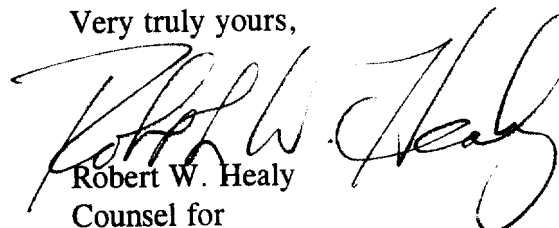
Dear Mr. Caton:

AUDIO SERVICES DIVISION

By letter dated March 24, 1997, the FCC requested antenna structure registration information regarding the above-referenced application. As can be seen from the attached letter, the FAA has been requested to reinstate the previously issued FAA clearance for the proposed tower. As of this date, the FAA has not responded to this request.

Therefore, it is respectfully requested that an additional period of thirty days be provided to respond to the Commission's letter.

Very truly yours,



Robert W. Healy  
Counsel for

JERRY SNYDER AND ASSOCIATES, INC.

RWH/pn.A042297

**CARL T. JONES**  
**CORPORATION**

**RECEIVED**

**APR 22 1997**

Federal Communications Commission  
Office of Secretary

February 10, 1997

Mr. Bruce C. Beard  
Obstruction Evaluation Specialist  
Federal Aviation Administration  
Southwest Regional Office  
Air Traffic Operations Branch  
Fort Worth, TX 76193-0530

**RECEIVED**

**APR 23 1997**

**AUDIO SERVICES DIVISION**

In re: Jerry Snyder & Associates  
Aeronautical Study No.  
96-ASW-3626-OE  
Reinstatement of FAA Approval  
Brazos, Texas

Dear Sir:

This letter is in reference to the above-captioned aeronautical study advanced by Jerry Snyder & Associates. On February 4, 1997, your office issued an Acknowledgement of Notice of Proposed Construction or Alteration concerning the reinstatement of an FAA Approval for a new radio tower construction in Brazos, Texas.

The proposed tower construction is identical to the proposal the FAA approved under aeronautical study number 92-ASW-1169-OE. The purpose of the FAA filing (assigned aeronautical study number 96-ASW-3626-OE) is to reinstate the expired determination which lapsed due to the death of the site owner. The proponent now has reasonable assurance that the site is again available for the proposed use.

The full tower height as proposed in the Notice is vital to the technical viability of the radio station. Accordingly, as requested in my original transmittal letter, please initiate a formal study to ascertain if the proposed construction will be a hazard to air navigation.

Mr. Bruce C. Beard  
February 10, 1997  
Page 2

Should you desire additional information on this matter, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "William J. Getz", with a stylized flourish extending from the end.

William J. Getz

WJG/ps

cc: Robert W. Healy, Esquire  
Mr. Jerry Snyder

FEDERAL COMMUNICATIONS COMMISSION  
1919 M STREET NW  
WASHINGTON DC 20554

MASS MEDIA BUREAU  
AUDIO SERVICES DIVISION  
TECHNICAL PROCESSING GROUP  
APPLICATION STATUS: (202) 418-2730  
HOME PAGE: [www.fcc.gov/mmb/asd/](http://www.fcc.gov/mmb/asd/)

PROCESSING ENGINEER: GEORGE H. GWINN  
TELEPHONE: (202) 418-2740  
FACSIMILE: (202) 418-1410  
MAIL STOP: 1800B3  
INTERNET ADDRESS: [ggwinn@fcc.gov](mailto:ggwinn@fcc.gov)

MAR 24 1997

Mr. Robert W. Healy, Esq.  
Smithwick & Belendiuk, P.C.  
1990 M Street, N.W., Suite 510  
Washington, DC 20036

Re: KYXS(FM); Mineral Wells, TX  
Jerry Snyder and Associates, Inc.(JSA)  
BPH-961125IG

Dear Counsel:

The staff has under consideration the above-captioned minor change application filed on behalf of JSA to modify licensed station KYXS(FM) serving Mineral Wells, TX. For the reason stated below, the application must be amended before it can be processed further.

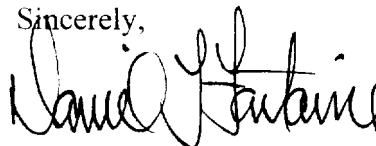
**Antenna Structure Registration Required**

Pursuant to 47 CFR § 17.4(a)(1), as modified by the *Report and Order* in WT Docket 95-5, 61 FR 4359 (1996), any proposed antenna structure or alteration of an existing antenna structure must be registered with the Commission prior to construction or alteration. The antenna structure included in the amendment must be registered by filing Form 854, Application for Antenna Structure Registration, with the Commission's Support Services Branch (SSB) of the Wireless Telecommunications Bureau's Customer Services Division in Gettysburg, Pennsylvania. Upon registration, written notification (including the tower registration number) must be submitted to the Audio Services Division (ASD). For your convenience, a copy of FCC Form 854 is enclosed.

**Conclusion**

Further action on this application will be withheld for a period of thirty days from the date of this letter to provide an opportunity to reply. Failure to respond within this time period will result in the dismissal of the application pursuant to 47 CFR § 73.3566(b). Please note that any amendment must be submitted to the Secretary of the Commission in triplicate and signed in the same manner as the original application.

Sincerely,



Daniel J. Fontaine  
Supervisory Engineer  
Audio Services Division  
Mass Media Bureau

11-26-96 0358195 8195576 2 003 19

RM-9221



Mellon  
Bank

959KYXS  
1140KJSA

RADIO ADVERTISING MADE THIS  
CHECK POSSIBLE  
KYXS-KJSA  
JERRY SNYDER AND ASSOCIATES  
P O BOX 638  
MINERAL WELLS, TEXAS 76067

11062

DATE 11/21/96

98-1342/1119

PAY  
TO THE  
ORDER OF

FEDERAL COMMUNICATIONS COMMISSION \$ 690.00

SIX HUNDRED NINETY & NO

DOLLARS

CITY NATIONAL BANK

1600 E. HUBBARD St. 125-0761  
Mineral Wells, Texas 76067

FOR

Jami Brumfield

⑈011062⑈ ⑈1111919433⑈ ⑈010775⑈

⑈0000069000⑈

FOR  
FCC  
USE  
ONLY

11062

# FCC 301

FCC/MELLON NOV 25 1996

## APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION

FOR COMMISSION USE ONLY

FILE NO. *RM-9221*

### Section I - GENERAL INFORMATION

1. APPLICANT NAME (Last, First, Middle Initial)

Jerry Snyder and Associates, Inc.

MAILING ADDRESS (Line 1) (Maximum 35 characters)

P.O. Box 638

MAILING ADDRESS (Line 2) (Maximum 35 characters)

CITY

Mineral Wells

STATE OR COUNTRY (if foreign address)

TX

ZIP CODE

76067

TELEPHONE NUMBER (include area code)

(817) 594-9509

CALL LETTERS

KYXS

OTHER FCC IDENTIFIER (IF APPLICABLE)

2. A. Is a fee submitted with this application?

☒ Yes ☐ No

B. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1113) and go to Question 3.

☐ Governmental Entity ☐ Noncommercial educational licensee ☐ Other (Please explain):

C. If Yes, provide the following information:

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Column (B) lists the Fee Multiple applicable for this application. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).

	(A) FEE TYPE CODE	(B) FEE MULTIPLE (if required)	(C) FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY
(1)	M P R		\$ 690.00	

To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

	(A)	(B)	(C)	FOR FCC USE ONLY
(2)			\$	

ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (2), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.

TOTAL AMOUNT  
REMITTED WITH THIS  
APPLICATION

\$ 690.00

FOR FCC USE ONLY

690.00

95.9MHz

BPH - 961125IG

KYXS-FM

MINERAL WELLS

TX

JERRY SNYDER AND ASSOCIATES, INC.

TELEPHONE  
(202) 785-2800

TELECOPIER  
(202) 785-2804

LAW OFFICES  
SMITHWICK & BELENDIUK, P.C.

1990 M STREET, N.W.  
SUITE 510  
WASHINGTON, D.C. 20036

ORIGINAL

COUNSEL  
ROBERT W. HEALY

November 25, 1996

**COURIER**

RM-9221

Federal Communications Commission  
Mass Media Services  
P.O. Box 358195  
Pittsburgh, Pennsylvania 15251-5195

Attention: Lock Box Supervisor

RE: Jerry Snyder and Associates, Inc.  
KYXS(FM), Mineral Wells, Texas  
Application for Minor Modification of License

Dear Sir or Madam:

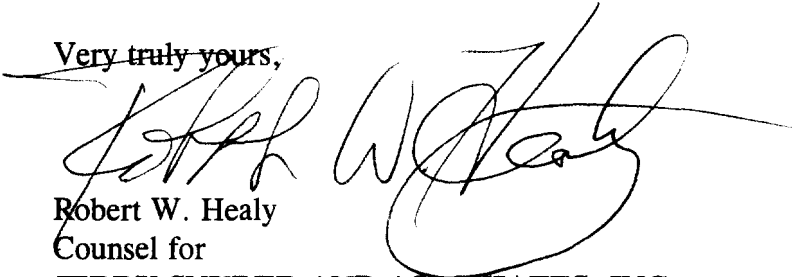
Transmitted herewith, on behalf of Jerry Snyder and Associates, Inc., are an original and two copies of an application for minor modification of license of KYXS(FM), Mineral Wells, Texas.

Enclosed is a check in the amount of \$690.00 in payment of the filing fee (Fee Code: MPR).

Please stamp "received" the enclosed additional copy, and return it in the self-addressed envelope provided.

If there are any questions with respect to this matter, please communicate with the undersigned.

Very truly yours,

  
Robert W. Healy  
Counsel for

**JERRY SNYDER AND ASSOCIATES, INC.**

RWH/pn.A112296  
Enc.

cc: KYXS Public File

FOR  
FCC  
USE  
ONLY

## FCC 301

### APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION

FOR COMMISSION USE ONLY

FILE NO.

RM-9221  
PFA-921-2520

#### Section I - GENERAL INFORMATION

1. APPLICANT NAME (Last, First, Middle Initial)

Jerry Snyder and Associates, Inc.

MAILING ADDRESS (Line 1) (Maximum 35 characters)

P.O. Box 638

MAILING ADDRESS (Line 2) (Maximum 35 characters)

CITY

Mineral Wells

STATE OR COUNTRY (if foreign address)

TX

ZIP CODE

76067

TELEPHONE NUMBER (include area code)

(817) 594-9509

CALL LETTERS

KYXS

OTHER FCC IDENTIFIER (IF APPLICABLE)

2. A. Is a fee submitted with this application?



Yes



No

B. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1113) and go to Question 3.



Governmental Entity



Noncommercial educational licensee



Other (Please explain):

C. If Yes, provide the following information:

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Column (B) lists the Fee Multiple applicable for this application. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).

	(A)	(B)	(C)										
	FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY									
(1)	<table><tr><td>M</td><td>P</td><td>R</td></tr></table>	M	P	R	<table><tr><td></td><td></td><td></td><td></td></tr></table>					<table><tr><td>\$ 690.00</td></tr></table>	\$ 690.00	<table><tr><td></td></tr></table>	
M	P	R											
\$ 690.00													

To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

	(A)	(B)	(C)										
				FOR FCC USE ONLY									
(2)	<table><tr><td></td><td></td><td></td></tr></table>				<table><tr><td></td><td></td><td></td><td></td></tr></table>					<table><tr><td>\$</td></tr></table>	\$	<table><tr><td></td></tr></table>	
\$													

ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1)  
THROUGH (2), AND ENTER THE TOTAL HERE.  
THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED  
REMITTANCE.

TOTAL AMOUNT REMITTED WITH THIS APPLICATION
\$ 690.00

FOR FCC USE ONLY



3. This application is for: (check one box)

☐ AM

☒ FM

☐ TV

(b) Channel No. or Frequency 240
-------------------------------------

(b) Principal Community	City	State
	Mineral Wells	TX

(c) Check one of the following boxes:

- ☐ Application for NEW station
- ☐ MAJOR change in licensed facilities; call sign: .....
- ☒ MINOR change in licensed facilities; call sign: .....
- ☐ MAJOR modification of construction permit; call sign: .....  
File No. of construction permit: .....
- ☐ MINOR modification of construction permit; call sign: .....  
File No. of construction permit: .....
- ☐ AMENDMENT to pending application; Application file number: .....

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

☐ Yes ☒ No

4. Is this application mutually exclusive with a renewal application?

If Yes, state:

Call letters	Community of License	
	City	State

## Section II - LEGAL QUALIFICATIONS

Name of Applicant

Jerry Snyder and Associates, Inc.\*

1. Applicant is: (check one box below)

☐

Individual

☐

General Partnership

☐

For-profit corporation

☐

Other

☐

Limited partnership

☐

Not-for-profit corporation

2. If the applicant is an unincorporated association or a legal entity other than an individual, partnership, or corporation, describe in an Exhibit the nature of the applicant.

Exhibit No.

NOTE: The terms "applicant," "parties to this application," and "non-party equity owners in the applicant" are defined in the instructions for Section II of this form. Complete information as to each "party to this application" and each "non-party equity owner in the applicant" is required. If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.

3. If the applicant is not an individual, provide the date and place of filing of the applicant's enabling charter (e.g., limited partnership must identify its certificate of limited partnership and a corporation must identify its articles of incorporation by date and place of filing):

Date

Place

In the event there is no requirement that the enabling charter be filed with the state, the applicant shall include the enabling charter in the applicant's public inspection file. If, in the case of a partnership, the enabling charter does not include partnership agreement itself, the applicant shall include a copy of the agreement in the applicant's public inspection file.

4. Are there any documents, instruments, contracts or understandings (written or oral), other than instruments identified in response to Question 3, above, relating to future ownership interests in the applicant, including but not limited to, stock pledges or other forms of security, insulated limited partnership shares, nonvoting stock interests, beneficial stock ownership interests, options, rights of first refusal, warrants, or debentures?

☐

Yes

☐

No

If Yes, submit as an Exhibit all such written documents, instruments, contracts, or understandings, and provide the particulars of any oral agreement.

Exhibit No.

5. Complete, if applicable, the following certifications:

(a) Applicant certifies that no limited partner will be involved in any material respect in the management or operation of the proposed station.

☐

Yes

☐

No

If No, applicant must complete Question 6 below with respect to all limited partners actively involved in the media activities of the partnership.

(b) Does any investment company (as defined in 15 U.S.C. Section 80 a-3), insurance company, or trust department of any bank have an aggregated holding of greater than 5% but less than 10% of the outstanding votes of the applicant?

☐

Yes

☐

No

If Yes, applicant certifies that the entity holding such interests exercises no influence or control over the applicant, directly or indirectly, and has no representatives among the officers and directors of the applicant.

☐

Yes

☐

No

\* Application to upgrade facilities of existing licensee - no change in information on file with the Commission.

**Section II - LEGAL QUALIFICATIONS (Page 2)**

Existing licensee - minor modification only

6. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity. Attach additional pages if necessary.

**(Read carefully - The numbered items below refer to line numbers in the following table.)**

- a. Name and residence of the applicant and, if applicable, its officers directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors, and, thereafter, remaining stockholders and partners.
- b. Citizenship.
- c. Office or directorship held.
- d. Number of shares or nature of partnership interests.
- e. Number of votes.
- f. Percentage of votes.

NOTE: Radio Applicants ONLY: Radio applicants need not respond to subparts g and h of the table. Instead, proceed and respond to Questions 7, 8 and 9, Section II below.

- g. Other existing attributable interests in any broadcast station, including the nature and size of such interests.
- h. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 73.3555 and 76.501, including the nature and size of such interests and the positions held.

a.			
b.			
c.			
d.			
e.			
f.			
g.			
h.			

**ONLY RADIO APPLICANTS NEED RESPOND TO QUESTIONS 7, 8 AND 9.**

7. Does the applicant or any party to the application, own, or have an attributable interest in: (a) any AM, FM or TV station; or (b) in a daily newspaper in the same market(s) as the station(s) being proposed?

☐ Yes ☐ No

8. Does the applicant, or any party to the application, broker more than 15 percent of the broadcast hours per week of any AM or FM station in a market in which the applicant, or party to the application, has an attributable interest in any AM or FM station? See 47 C.F.R. Section 73.3555(a) for definition of "radio market."

☐ Yes ☐ No

If the answer to 7 or 8 is Yes, set forth in an Exhibit, name of party having interest; nature of the interest; call letters and location of stations involved; and identification of newspaper, where applicable.

Exhibit No.

9. Does the principal community service contour (predicted or measured 5 mV/m groundwave contour for AM; predicted 3.16 mV/m contour for FM) of any AM or FM station being proposed overlap the principal community service contour of:

(a) an AM or FM station which is directly or indirectly owned, operated or controlled by the applicant or any party to the application; or

☐ Yes ☐ No

(b) an AM or FM station at which more than 15 percent of the broadcast time per week is brokered by the applicant or any party to the application?

☐ Yes ☐ No

If the answer to (a) or (b) is Yes, do you certify that the ownership interests which will result from grant of the application(s) comply with 47 C.F.R. Section 73.3555(a), or that appropriate waivers of that section are herein sought?

☐ Yes ☐ No

If Yes, attach a separate Exhibit containing the market and audience information necessary to demonstrate compliance.

Exhibit No.

NOTE: With reference to the Radio Contour Overlap Rule of 47 C.F.R. Section 73.3555(a), the applicant's Exhibit must include: (i) a map that clearly identifies, by relevant contours, the location and geographic coverage of the market or markets involved; (ii) the number of commercial AM and FM stations counted as being in the market or markets, including a map that shows the principal community contours of the stations that define the market or markets and the principal community contours of all commercial stations intersecting with the principal community contours of these stations; (iii) for markets with 15 or more commercial radio stations, a combined audience share figure, the basis and/or source material for this figure, and the results and qualification of any commissioned audience survey or alternative showing used; and (iv) the call letters and locations of all stations in the market or markets that are, or are proposed to be, commonly owned, operated or controlled, including any AM or FM station in the market for which the applicant or any party to the application brokers more than 15 percent of that station's broadcast time per week.

**Section II - LEGAL QUALIFICATIONS (Page 4)**

Existing licensee - minor modification only

10. Does the applicant, or any party to the application, have a petition to migrate to the expanded band (1506-1705 (kHz)) or a permit or license either in the existing band or expanded band that is held in combination with the AM facility proposed to be modified herein? ☐ Yes ☐ No

If Yes, provide particulars in an Exhibit.

Exhibit No.

11. Does the applicant, any party to the application or any non-party equity owner in the applicant have, or have they had, any interest in:

- (a) a broadcast station, or pending broadcast station application before the Commission? ☐ Yes ☐ No
- (b) a broadcast application which has been dismissed with prejudice by the Commission? ☐ Yes ☐ No
- (c) a broadcast application which has been denied by the Commission? ☐ Yes ☐ No
- (d) a broadcast station, the license of which has been revoked? ☐ Yes ☐ No
- (e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant? ☐ Yes ☐ No

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:

Exhibit No.

- (1) Name of party having interest;  
(2) Nature of interest or connection, giving dates;  
(3) Call letters of stations or file number of application or docket; and  
(4) Location.

12. (a) Are any of the parties to the application or non-party equity owners in the applicant related (as husband, wife, father, mother, brother, sister, son or daughter) to each other? ☐ Yes ☐ No
- (b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to the application or non-party equity owner in the applicant have any interest in or connection with any other broadcast station, pending broadcast application or newspaper in the same area (see Section 73.3555(c)) or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))? ☐ Yes ☐ No

If the answer to (a) or (b) above is Yes, attach an Exhibit giving full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.

13. State in an Exhibit any interest the applicant or any party to this application proposes to divest in the event of a grant of this application.

Exhibit No.

**OTHER MASS MEDIA INTERESTS**

14. (a) Do individuals or entities holding nonattributable interests of 5% or more in the applicant have an attributable ownership interest or corporate officership or directorship in a broadcast station, newspaper or CATV system in the same area? (See Instruction C to Section II.)

☐ Yes ☐ No

- (b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of an INDIVIDUAL holding a nonattributable interest of 5% or more in the applicant have any interest in or connection with any other broadcast station, pending broadcast application, newspaper in the same area (see Section 73.3555(c)), or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

☐ Yes ☐ No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving a full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.

**CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS**

15. (a) Is the applicant in compliance with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction D to Section II.)

☐ Yes ☐ No

- (b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

☐ Yes ☐ No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No.

16. Has an adverse finding been made or an adverse final action been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant in a civil or criminal proceeding brought under the provisions of any law related to the following:

☐ Yes ☐ No

Any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?

If the answer is Yes, attach as an Exhibit a full disclosure of the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding was based or the nature of the offense committed, and a description of the disposition of the matter.

Exhibit No.



**SECTION IV-A - PROGRAM SERVICE STATEMENT** Existing licensee - minor modification only

Attach as an Exhibit a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

Exhibit No.

**SECTION IV-B - INTEGRATION STATEMENT**

1. List each principal of the applicant who, in the event of a grant of the application on a comparative basis, proposes to participate in the management of the proposed facility and, with respect to each such principal, state whether he or she will work full-time (minimum 40 hours per week) or part-time (minimum 20 hours per week) and briefly describe the proposed position and duties.

Exhibit No.

2. State with respect to each principal identified in response to Item 1. above, whether the applicant will claim qualitative credit for any of the following enhancement factors:

(a) Minority Status

(b) Past Local Residence

If Yes, specify whether in the community of license or service area and the corresponding dates.

(c) Female Status

(d) Broadcast Experience

If Yes, list each employer and state the position and corresponding dates.

(e) Daytime Preference

(f) Civic Activities

If Yes, describe the activities, specify whether in the community of license or service area, and state the corresponding dates.



## SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

Does the applicant propose to employ five or more full-time employees?

N/A

☐ Yes ☐ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 396-A).

## SECTION VII - CERTIFICATIONS

1. Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 73.3580?

☐ Yes ☐ No

N/A

2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose?

☒ Yes ☐ No

If No, attach as an Exhibit, a full explanation.

Exhibit No.  
n/a

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of Person Contacted: John P. Ritchie

Telephone No. (include area code): 817-325-6226

Person Contacted: (check one box below):

☐ Owner ☒ Owner's Agent ☐ Other (specify)

4. By checking Yes, the applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b).

☒ Yes ☐ No

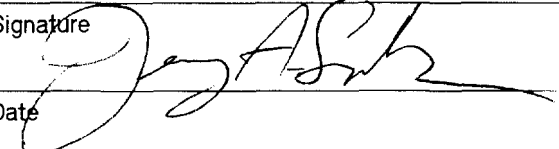
The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Name Jerry Snyder and Associates, Inc.	Signature 
Title President	Date November 20, 1996
Typed or Printed Name of Person Signing Gerald Snyder	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

### Proposed Minor Modification

Jerry Snyder and Associates, Inc. ("Snyder") was the proponent of a rulemaking in MM Docket No. 90-555 to modify the facility's of KYXS-FM to substitute Channel 240 C1 for Channel 240A at Mineral Wells, Texas. When that rulemaking petition was granted, Snyder filed for and received a construction permit for the C1 operation.

Snyder's application for the modified permit relied on the availability of land for the transmitter site on a verbal agreement with the property owner. After the construction permit was issued, the property owner died. Snyder made a number of contacts with the deceased's widow and his son, but they were not willing to discuss the matter further at that time.

Unsuccessful attempts were made to find an alternative site at which a very tall tower could be located, and which site would meet zoning and other requirements. There are other tall towers near the proposed site so that was not a problem there.

Faced with loss of the proposed site and no alternative site being available, Snyder concluded that despite all the time and money expended on the project, then there was no choice but to let the permit expire.

Eventually, the estate sold the large tract of land, on which a small portion was to be used for Snyder's tower, to the Palo Pinto County Municipal Water District for the purpose of constructing a reservoir. The Water District did not need all of this land for its needs, but had to purchase all of it from the estate. When Snyder inquired of the Water District's representatives as to whether the Water District would be willing to lease

that portion of the land which Snyder had originally planned to use for the tower, and which was not being used by the Water District for the reservoir, the Water District recently agreed to do so.

Thus, this application proposes to use precisely the same site specified in the prior application. Having lost reasonable assurance of use of the site due to the death of the owner, it became apparent to Snyder that the estate was only looking to sell the large tract of land and would not impede that possible sale by leasing a portion of it to Snyder for a tall radio tower. It was only the fortuitous circumstance that the land was purchased by the Water District, which did not have any need to use that portion of the land that Snyder had planned to place its tower, that made this filing once again possible.

***CARL T. JONES***  
***CORPORATION***

ENGINEERING EXHIBIT  
IN SUPPORT OF AN  
APPLICATION FOR CONSTRUCTION PERMIT  
KYXS-FM, MINERAL WELLS, TEXAS  
CHANNEL 240C1 23.5 kW ERP - 512 M HAAT

Applicant: Jerry Snyder and Associates

November, 1996

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STATEMENT OF WILLIAM J. GETZ

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# SECTION V-B - FM BROADCAST ENGINEERING DATA

## FOR COMMISSION USE ONLY

File No. \_\_\_\_\_  
SSB Referral Date \_\_\_\_\_  
Referred By \_\_\_\_\_

Name of Applicant **Jerry Snyder and Associates**

Call Letters (if issued)

**KYXS-FM**

Is this application being filed in response to a window? ☐ Yes ☒ No

If Yes, specify closing date: \_\_\_\_\_

Purpose of Application: (check appropriate boxes)

- |  |   |
|--|---|
| <input type="checkbox"/> Construct a new (main) facility                       | <input type="checkbox"/> Construct a new auxiliary facility                         |
| <input type="checkbox"/> Modify existing construction permit for main facility | <input type="checkbox"/> Modify existing construction permit for auxiliary facility |
| <input checked="" type="checkbox"/> Modify licensed main facility              | <input type="checkbox"/> Modify licensed auxiliary facility                         |

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Antenna supporting structure height  | <input checked="" type="checkbox"/> Effective radiated power       |
| <input checked="" type="checkbox"/> Antenna height above average terrain | <input type="checkbox"/> Frequency                                 |
| <input checked="" type="checkbox"/> Antenna location                     | <input checked="" type="checkbox"/> Class per MM Docket No. 90-555 |
| <input type="checkbox"/> Main Studio location                            | <input type="checkbox"/> One-Step processing                       |
| <input type="checkbox"/> Directional Antenna                             | <input type="checkbox"/> Other(summarize)                          |

File Number(s) **BLH-910517KD**

### 1. Allocation:

Channel No.	Principal community to be served:		
	County	City or Town	State
240	Palo Pinto	Mineral Wells	TX

Class (check only one box below)

- ☐ A ☐ B1 ☐ B ☐ C3  
☐ C2 ☒ C1 ☐ C

### 2. Exact location of antenna.

- (a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark. **3.5 km west of Brazos, Palo Pinto County, Texas**
- (b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude and East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed. (The Commission requires coordinates based on NAD 27.)

Latitude	32 °	39 '	35 "	Longitude	98 °	09 '	34 "
----------	------	------	------	-----------	------	------	------

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☐ Yes ☒ No

If Yes, give call letter(s) or file number(s) or both. **N/A**

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any. **N/A**

**Section V-B - FM BROADCAST ENGINEERING DATA (Page 2)**

4. Does the application propose to correct previous site coordinates?  
If Yes, list old coordinates.

☐ Yes ☒ No

Latitude	°	'	"	Longitude	°	'	"
----------	---	---	---	-----------	---	---	---

5. Has the FAA been notified of the proposed construction?

☒ Yes ☐ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.  
1

Date 6/23/92

Office where filed Southwest Regional Office

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway. There are no landing areas within 8 km of proposed site

	Landing Area	Distance (km)	Bearing (degrees True)
(a)	_____	_____	_____
(b)	_____	_____	_____

7. (a) Elevation (to the nearest meter)

(1) of site above mean sea level; 339 meters

(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 458 meters

(3) of the top of supporting structure above mean sea level [(a)(1) + (a)(2)]. 797 meters

- (b) Height of radiation center: (to the nearest meter) H = Horizontal; V = Vertical

(1) above ground; 446 meters (H)

446 meters (V)

(2) above mean sea level [(a)(1) + (b)(1)]; and 785 meters (H)

785 meters (V)

(3) above average terrain. 512 meters (H)

512 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labeling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.  
2

9. Effective Radiated Power:

(a) ERP in the horizontal plane 23.5 kw (H\*) 23.5 kw (V\*)

Is beam tilt proposed?

☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevation plot of radiated field.

Exhibit No.  
N/A

N/A kw (H\*) N/A kw (V\*)

\*Polarization

**Section V-B - FM BROADCAST ENGINEERING DATA (Page 3)**

10. Does this proposal modify a new unbuilt construction permit for an unbuilt, unlicensed facility?

☐ Yes ☒ No

If Yes, submit an Exhibit demonstrating compliance with 47 C.F.R. Section 73.3535 that includes a certification that construction will commence immediately upon grant of the construction permit application.

Exhibit No.  
N/A

11. Is a directional antenna proposed?

☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s), and tabulations of the relative field.

Exhibit No.  
N/A

12. Will the proposed facility satisfy the requirements of 47 C.F.R. Section 73.315(a) and (b)?

☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 3.16 mV/m service.

Exhibit No.  
N/A

13. Will the main studio be within the protected 3.16 mV/m field strength contour of this proposal?

☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.  
N/A

14. Is this application being filed as a One-step proposal pursuant to the Report & Order in MM Docket 92-159, 8 FCC 2d 4735 (released July 13, 1993)?

☐ Yes ☒ No

If Yes, list the proposed allotment site coordintes to the nearest second below and attach an Exhibit demonstrating that the proposed allotment site is in compliance with the allotment standards. The Exhibit must contain: (1) an allotment site map that complies with the requirements of the April 5, 1985, Public Notice, Mimeo 3693, or a statement that the allotment site will be located on an existing tower; (2) a city coverage map, showing the allotment site is in compliance with 47 C.F.R. Section 73.315; (3) a showing demonstrating that the allotment site meets the minimum distance separation requirements of 47 C.F.R. Section 73.207; and (4) a statement that the proposed allotment site is suitable for tower construction.

Exhibit No.  
N/A

The coordinates for the proposed allotment site are:

Latitude	°	'	"	Longitude	°	'	"
----------	---	---	---	-----------	---	---	---

15. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207?

☒ Yes ☐ No

- (b) If the answer to (a) is No, does 47 C.F.R. Section 73.213 apply?

N/A ☐ Yes ☐ No

- (c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.

Exhibit No.  
N/A

- (d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Exhibit No.  
N/A

- (e) Is authorization pursuant to 47 C.F.R. Section 73.215 requested?

☐ Yes ☒ No

If the answer to (e) is Yes, attach as an Exhibit a complete engineering study demonstrating compliance with the minimum spacing requirements of 47 C.F.R. Section 73.215(e) and lack of prohibited overlap with the affected stations. The engineering study must include the following:

Exhibit No.  
N/A



Section V-B - FM BROADCAST ENGINEERING DATA (Page 4)

- (1) Protected and interfering contours, in all directions (360°), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire Exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the Exhibit(s).

16. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast (except citizens band and amateur) radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☒ Yes ☐ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(b), 73.316(e) and 73.318.)

Exhibit No.  
See  
Engineering  
Statement

17. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V (D). The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.  
3

18. Attach as an Exhibit (name the source) a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
4

- (a) the proposed transmitter location, and the radials along which profile graphs have been prepared;
- (b) the 3.16 mV/m and 1 mV/m predicted contours; and
- (c) the legal boundaries of the principal community to be served.

19. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 16,310 sq. km. Population 422,250

20. For an application involving an auxiliary facility only, attach as an Exhibit a map (Sectional Aeronautical Chart or equivalent) that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
N/A

- (a) the proposed auxiliary 1 mV/m contour; and
- (b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.